



STATE OF NEW JERSEY
DEPARTMENT OF PERSONNEL

RICHARD J. CODEY
ACTING GOVERNOR

ROLANDO TORRES, JR.
ACTING COMMISSIONER

Merit System Board

**MINUTES OF REGULAR MEETING OF
THE MERIT SYSTEM BOARD
DECEMBER 15, 2004**

**Rolando Torres, Jr., Acting Chairman
Flavella Branham
John Currie
Margaret E.L. Howard
Robert J. Long**

DECEMBER 15, 2004

A regular meeting of the Merit System Board was held on Wednesday, December 15, 2004, in Trenton, New Jersey.

PRESENT: Acting Chairman Rolando Torres, Jr., Merit System Board Members, Flavella Branham, John Currie, Margaret E. L. Howard and Robert J. Long; Pamela Ullman, Deputy Attorney General; and Henry Maurer, Director, Division of Merit System Practices and Labor Relations.

In accordance with L.1975, c.231, Acting Chairman Rolando Torres, Jr. opened the meeting with the following statement:

Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on December 11, 2003, and posted at the Department of Personnel, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

STATE

The Merit System Board recorded the recommended changes in the State Classification Plan, copies of which are attached hereto and made a part hereof.

DATE: December 1, 2004

TO: Marjorie A. Schwartz, Acting Commissioner
Department of Personnel

FROM: Elizabeth Van Marter, Director
Classification Management

SUBJECT: Change in the State Classification Plan

DEPARTMENT OF BANKING AND INSURANCE

The Department of Banking and Insurance recently requested and received a one-range upward salary re-evaluation for the Market Conduct Examiner series. The re-evaluation was granted based on a change in education requirements. A current effective date was inadvertently requested. The Department wishes to establish an earlier effective date that corresponds with the approximate receipt of this request.

CHANGE IN EFFECTIVE DATE FOR SALARY RE-EVALUATION

<u>FROM:</u>	<u>TO:</u>
<u>12/13/04</u>	<u>03/20/04</u>
Market Conduct Examiner 1 <u>R27</u> -55244 Competitive X NL/12	Market Conduct Examiner 1 <u>R28</u> -55244 Competitive X NL/12
Market Conduct Examiner 2 <u>P24</u> -55243 Competitive X NL/12	Market Conduct Examiner 2 <u>P25</u> -55243 Competitive X NL/12
Market Conduct Examiner 3 <u>P21</u> -55240 Competitive X NE/12	Market Conduct Examiner 3 <u>P22</u> -55240 Competitive X NE/12
Market Conduct Examiner 4 <u>P18</u> -55238 Competitive X NE/12	Market Conduct Examiner 4 <u>P19</u> -55238 Competitive X NE/12

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Carmen Colon, Police Officer, Police Department, City of Camden, fine equal to 12 days pay.

Eileen McGee, Data Processing Programmer 3, Office of Information Technology, suspension.

Rodney Rountree, Senior Correction Officer, Edna Mahan Correctional Facility, Department of Corrections, removal.

Paul Sanjurjo, Judiciary Clerk 3, Bergen Vicinage, Department of Judiciary, removal.

Karen Segraves, Senior Clerk Transcriber, Montclair State College, suspension.

Robert Verpent, Fire Fighter, Fire Department, City of Jersey City, forfeit of four 24-hour days or 96 hours.

DISMISSAL OF APPEALS – FAILURE TO APPEAR

The Merit System Board dismissed the following cases without prejudice for failure to appear at the scheduled hearing before the Office of Administrative Law:

Donna Brown, Cottage Training Technician, Woodbridge Developmental Center, Department of Human Services, suspension.

Alex Doyle, Maintenance Worker 1, Transportation, Department of Transportation, release at the end of the working test period.

Grace Espinosa, Institutional Attendant, Preakness Hospital, County of Passaic, resignation not in good standing.

John Huber, Helper, Division of Purchase and Property, Department of Treasury, suspension.

Jose Mata, Electricians Helper, Department of Public Works, City of Camden, removal.

Richard Mormando, County Correction Officer, Department of Public Safety, County of Essex, suspension.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Miriam Asedo
County of Monmouth
Department of Health Care Facilities

Release at the end of the working test period

In the Matter of Manuel Esteves
County of Union
Department of Public Safety
Suspension

In the Matter of James Guarduci
County of Essex
Department of Health and Rehabilitation
Layoff

In the Matter of Rick C. Lombardo
County of Monmouth
Department of Corrections and Youth Services
Suspension

In the Matter of James Mack
County of Essex
Department of Parks Recreation and Cultural Affairs
Removal

In the Matter of Paul Reynolds
New Lisbon Developmental Center
Department of Human Services
Resignation not in good standing

In the Matter of Rose Ziola
County of Morris
Department of Long Term Care Services
Resignation not in good standing

**RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE IN THE ABOVE
CASES – SETTLEMENT**

ACTION: The Merit System Board acknowledged the settlements.

A2 BRYANT HAMILTON (CONSOLIDATION)

Bryant Hamilton, Police Officer, City of Camden, Police Department, six-month suspension and two 15-day suspensions (one fine equal to ten- days and five days held in abeyance and one fine equal to five days and ten days held in abeyance) on charges of violation of Department rules and regulations, insubordination, and violation of various Police Department rules including firearms and compliance with orders.

Recommendation of the Administrative Law Judge – Acknowledge the settlement.

ACTION: The Merit System Board remanded the matter to the Office of Administrative Law.

A-3 MARY MALONEY

Mary Maloney, Supervising Research Analyst, Department of Human Services, 15-day suspension on charges of being absent from work as scheduled without approval, violation of procedures, conduct unbecoming a public employee and insubordination.

Recommendation of the Administrative Law Judge – Dismiss the appeal for failure to prosecute.

ACTION: The Merit System Board remanded the matter to the Office of Administrative Law.

A-4 CHARLES RAYMOND

Charles Raymond, Senior Correction Officer, Juvenile Justice Commission, Department of Law and Public Safety, six-month suspension on charges of conduct unbecoming a public employee, other sufficient cause, inappropriate physical contact or mistreatment of an inmate, patient, client, resident or employee, failure to report injury, abuse or accident involving inmates, residents, patients, or clients and falsification.

Recommendation of the Administrative Law Judge – Reverse the six-month suspension.

ACTION: The Merit System Board affirmed the recommendation of the Administrative Law Judge.

A-5 STEVE WONOKAY

Steve Wonokay, Social Worker 2, Woodbridge Developmental Center, Department of Human Services, release at the end of the working test period effective September 5, 2003.

Recommendation of the Administrative Law Judge – Uphold the release at the end of the working test period.

ACTION: The Merit System Board affirmed the recommendation of the Administrative Law Judge.

A-6 JAMES CASSIDY

James Cassidy, Police Sergeant, Township of Scotch Plains, Police Department, removal effective March 28, 2003, on charges of misconduct, conduct unbecoming a public employee, violation of discriminatory conduct constituting sexual harassment, and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removal to a demotion to the title of Police Officer and a six-month suspension.

ACTION: The Merit System Board modified the recommendation of the Administrative Law Judge to uphold the removal.

A-7 LOUIS MARCH

Louis March, Laborer, City of Newark, Department of Neighborhood and Recreational Services, removal effective May 3, 2002, on charges of chronic and excessive absenteeism or lateness and resignation not in good standing.

Recommendation of the Administrative Law Judge – Modify the removal to a ten-day suspension and a resignation not in good standing effective April 9, 2002.

ACTION: The Merit System Board affirmed the recommendation of the Administrative Law Judge.

A-8 AARON SYKES

Aaron Sykes, County Correction Officer, County of Camden, Department of Corrections, removal effective November 4, 1999, on charges of conduct unbecoming a public employee, neglect of duty, other sufficient cause and violation of rules regarding conduct.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION: The Merit System Board affirmed the recommendation of the Administrative Law Judge.

A-9 MICHELLE THURBER

Michelle Thurber, Deputy Court Administrator, City of Burlington, Municipal Court Department, removal effective May 11, 2001, on the charge of conduct unbecoming a public employee and removal effective immediately on the charge of other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the removals to a six-month suspension.

ACTION: The Merit System Board directed that this matter be held over.

SECTION B - MISCELLANEOUS MATTERS

B-1 JESSICA A. COCO

Jessica A. Coco appeals her rejection as a Sheriff's Officer candidate by the County of Hudson and its request to remove her name from the eligible list for Sheriff's Officer (S9999D) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Merit System Board directed that this matter be referred for independent psychological evaluation.

B-2 MARK M. SCIARRA

Mark M. Sciarra, represented by Rocco F. Errico, Esq., appeals his rejection as a Police Officer candidate by the City of Hoboken and its request to remove his name from the eligible list for Police Officer (S9999D) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Merit System Board directed that this appeal be denied.

B-3 SEAN THORWARD

Sean Thorward appeals his rejection as a Sheriff's Officer candidate by the County of Essex and its request to remove his name from the eligible list for Sheriff's Officer (S9999D) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Merit System Board directed that this appeal be denied.

B-4 LUIS RIVERA

Luis Rivrea appeals the request by the Camden County Department of Corrections to remove his name from the County Correction Officer (S9999D) eligible list for medical unfitness to perform effectively the duties of the position.

ACTION: The Merit System Board directed that this appeal be denied.

B-5 SCOTT CSOGI

Scott Csogi, a Mason and Plasterer with the Department of Transportation, appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this appeal be granted.

B-6 DAVID FENDERSON

David Fenderson, a Human Services Technician with Trenton Psychiatric Hospital, Department of Human Services, appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this appeal be granted.

B-7 BRUCE SEDDON

Bruce Seddon, a Charge Nurse with the New Lisbon Developmental Center, Department of Human Services, requests reconsideration of the decision of the Merit System Board rendered on February 25, 2004, granting the petitioner sick leave injury (SLI) benefits, but only through June 18, 2004.

ACTION: The Merit System Board denied the request for reconsideration.

B-8 CASSANDRA TELFAIR

Cassandra Telfair, an Administrative Specialist 2 with the Judiciary, appeals the denial of sick leave injury (SLI) benefits.

ACTION: The Merit System Board directed that this appeal be denied.

B-9 JOHN GIARDINA

John Giardina appeals the removal of his name from the eligible list for Chief of Administrative Services (C0223D), Passaic County, on the basis that he lacked the minimum requirements for the position.

ACTION: The Merit System Board directed that this appeal be denied.

B-10 FERNANDO MARTINEZ-OLMEDA

Fernando Martinez-Olmeda appeals the determination of the Division of Human Resource Information Services which found that the appointing authority had presented a sufficient basis to remove his name from the eligible list for Superintendent of Institutional Grounds (S6648E), New Lisbon Developmental Center, Department of Human Services.

ACTION: The Merit System Board directed that this appeal be denied.

B-11 GREGORY SMITH

Gregory Smith appeals the decision of the Division of Human Resource Information Services which upheld the removal of the appellant's name from the Police Officer (S9999B), City of Newark, eligible list due to an unsatisfactory background report.

ACTION: The Merit System Board directed that this appeal be denied.

B-12 HUMAN SERVICES SPECIALIST 1 (C0426D), SALEM COUNTY BOARD OF SOCIAL SERVICES

The Salem County Board of Social Services requests that the eligible list for Human Services Specialist 1 (C0426D), Salem County Board of Social Services, be cancelled due to an incorrect residency announcement.

ACTION: The Merit System Board directed that this appeal be granted in part and the non-resident portion of the eligible list be cancelled.

B-13 SANITARY INSPECTOR (M9146E), WEST MILFORD TOWNSHIP

The appointing authority requests permission not to make an appointment from the certification for Sanitary Inspector (M9146E), West Milford Township.

ACTION: The Merit System Board granted the request for appointment waiver but assessed selection costs.

B-14 TAMMY SCHULTE

Tammy Schulte, a former Senior Food Service Handler at New Lisbon Developmental Center, Department of Human Services, appeals her resignation in good standing.

ACTION: The Merit System Board directed that this appeal be denied.

B-15 LEON FINCH, ET AL.

Leon Finch, Larry Kearns and Charles Popp, Assistant Head Grounds Workers with Trenton Psychiatric Hospital, Department of Human Services represented by William Kauffman, Staff Representative, Communications Workers of America, Local 1040, appeal the reclassification of their titles that resulted in their demotions to the Grounds Worker title.

ACTION: The Merit System Board directed that this appeal be granted.

B-16 ANGELO ALVARDO

Angelo Alvarado, a Lieutenant of County Investigators with Gloucester County, represented by Barbara M. Paul, Esq., appeals the forfeiture of five vacation days on the charge that he violated the Gloucester County Prosecutor's Office Rules and Regulations.

ACTION: The Merit System Board directed that this appeal be dismissed for lack of jurisdiction.

B-17 THOMAS G. PAPPAS

Thomas G. Pappas, a Truck Driver with the City of Paterson, petitions the Merit System Board for interim relief with regard to his immediate suspension without pay, effective October 19, 2004.

ACTION: The Merit System Board granted the request.

B-18 EDWARD ANDERSON

Edward Anderson, a Senior Correction Officer at Mid-State Correctional Facility, Department of Corrections, represented by Lawrence Popp, Esq., requests back pay for the period of his indefinite suspension pending the outcome of criminal charges.

ACTION: The Merit System Board granted back pay in the amount of \$53,902.28.

B-19 KEVIN GEORGE

The City of Newark, represented by Carolyn A. McIntosh, Assistant Corporation Counsel, petitions the Merit System Board for a stay of that part of its decisions in *In the Matter of Kevin George* (MSB, decided December 3, 2003 and September 22, 2004) which awarded him back pay, health insurance premium reimbursement, counsel fees and costs.

ACTION: The Merit System Board denied the request.

B-20 MICHAEL CERVINO

Michael Cervino, represented by Bruce D. Leder, Esq., petitions the Merit System Board for certification of his name in light of the decision of the Merit System Board in *In the Matter of Daniel Sollitti* (MSB, decided July 14, 2004).

ACTION: The Merit System Board denied the request.

B-21 PETER KRISTENSEN

Peter Kirstensen, a Police Officer with the Borough of Fair Lawn Police Department, represented by James P. Patuto, Esq., petitions the Merit System Board for enforcement of the Board's decision, rendered June 25, 2003, which awarded him back pay, benefits and counsel fees.

ACTION: The Merit System Board granted back pay in the amount of \$ 48,128.80.

B-22 GREGG HANSON

Administrative Law Judge (ALJ) Richard F. Wells issued an Order of Consolidation and Predominant Interest in the matter of Gregg Hanson v. Arthur Brisbane Child Treatment Center. In that order, the ALJ determined that the matters be consolidated and that the Division of Youth and Family Services (DYFS) had the predominant interest. Based on the ALJ's Order, the Merit System Board and DYFS developed a joint order adopting the ALJ's Order with clarification. The Joint Order is now submitted for the Board's review.

ACTION: The Merit System Board adopted the joint order.

B-23 EDWARD BOOZER

Edward Boozer appeals the determination of the Division of Selection Services that he did not meet the experience requirements for the promotional examination for Residential Services Specialist 1, Residential Center Accreditation (PS9361K), Department of Human Services.

ACTION: The Merit System Board directed that this appeal be denied.

B-24 DAVID DURHAM

David Durham appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, he was below the minimum requirements in experience for the promotional examination for Training Technician (PS7842K), North Jersey Developmental Center.

ACTION: The Merit System Board directed that this appeal be denied

B-25 IVORY GARY

Ivory Gary appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the open competitive examination for Construction Management Specialist 1 (M6615F), Newark School District.

ACTION: The Merit System Board directed that this appeal be denied.

B-26 TONIA KNOLL

June Levy, Assistant Director, Division of Consumer Affairs, on behalf of Tonia Knoll, appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she was below the minimum requirements in experience for the promotional examination for Senior Management Assistant (PS9790P), Division of Consumer Affairs.

ACTION: The Merit System Board directed that his appeal be granted.

B-27 MARSHA LEHMACHER

Marsha Lehmacher appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the promotional examination for Human Services Specialist 1 (PC1478E), Somerset County Board of Social Services.

ACTION: The Merit System Board directed that this appeal be denied.

B-28 LI LI LIN, ET AL.

Li Li Lin, Tammi Martin and Rosa Cortez appeal the determinations of the Division of Selection services that they did not meet the experience requirement for the open competitive examination for Investigator 2, Unemployment insurance (S0246E), Statewide.

ACTION: The Merit System Board directed that these appeals be denied.

B-29 KEITH MCGOUGH

Keith McGough appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Head Grounds Worker (PS0304K), Ancora Psychiatric Hospital.

ACTION: The Merit System Board directed that this appeal be granted.

B-30 PATRICK RIORDAN

Patrick Riordan appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in education for the open competitive examination for Network Administrator 1 (S6635E).

ACTION: The Merit System Board directed that this appeal be denied.

B-31 CARRIE REISER

Carrie Reiser appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the promotional examination for Deputy Clerk, Board of Freeholds (PC1314E), Middlesex County.

ACTION: The Merit System Board directed that this appeal be granted.

B-32 ARTHUR SANDLER

Arthur Sandler appeals the determination of the Division of Selection Services that he did not meet the requirements for the promotional examination for Contract Administrator 1, Environmental Protection (PS8805G), Department of Environmental Protection.

ACTION: The Merit System Board directed that this appeal be denied.

B-33 JOANNE V. SEARLES

JoAnne V. Searles appeals the determination of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Program Manager, Health and Senior Services (PS1264H), Department of Health and Senior Services.

ACTION: The Merit System Board directed that this appeal be denied.

B-34 TAMMY SMITH AND DONNA HARRIS

Tammy Smith and Donna Harris appeal the determinations of the Division of Selection Services that they did not meet the requirements for the promotional examination for Supervisor 3, Motor Vehicles (PS9247T), Motor Vehicle Commission.

ACTION: The Merit System Board directed that this appeal be denied.

B-35 PEGGY SOUDERS

Peggy Souders appeals the determination of the Division of Selection Service which found that she was below the minimum requirements in experience for the open competitive examination for Personnel Aide 1 (S6728E), State of New Jersey.

ACTION: The Merit System Board directed that this appeal be denied.

B-36 PATRICIA SOULES

Patricia Soules appeals the determination of the Division of Selection Services that she did not meet the experience requirement for the promotional examination for Assistant Assessor (PM1453E), Borough of Fair Lawn.

ACTION: The Merit System Board directed that this appeal be granted.

B-37 MARY SPENCE

Mary Spence appeals the determination of the Division of Selection Services that she did not meet the requirements for the promotional examination for Supervisor 3, Motor Vehicles (PS9247T), Motor Vehicle Commission.

ACTION: The Merit System Board directed that this appeal be granted.

B-38 NANCY SULLIVAN

Nancy Sullivan appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in education and experience for the open competitive examination for the title of Public Health Epidemiologist (C0578E), Gloucester County.

ACTION: The Merit System Board directed that this appeal be granted.

B-39 DEBRA TARCZA

Debra Tarcza appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for a prospective promotional examination for the title of Laboratory Technician, Department of Environmental Protection.

ACTION: The Merit System Board directed that this appeal be granted.

B-40 ROBERT TINDAL

Robert Tindal appeals the determination of the Division of Selection Services which found that per the substitution clause for education, he was below the minimum requirements in experience for the promotional examination for Budget Analyst 1 (PS9501K), Department of Human Services.

ACTION: The Merit System Board directed that this appeal be denied.

B-41 KARL YOUNG

Karl Young appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, he was below the minimum requirements in experience for the promotional examination for Client Services Representative (PS8168K), Ancora Psychiatric Hospital.

ACTION: The Merit System Board directed that this appeal be denied.

B-42 FRANK H. LANG

Frank H. Lang appeals his score and rank on the open competitive examination for Construction Official (S9267F).

ACTION: The Merit System Board directed that this appeal be denied.

B-43 JAMES LENNON

James Lennon appeals his score on the essay portion of the examination for Assistant Chief Investigator, Secured Facilities (PS6080I), Department of Corrections.

ACTION: The Merit System Board directed that this appeal be denied.

B-44 CORNELIUS ZINGERMAN

Cornelius Zingerman appeals his score on the essay portion of the examination for Assistant Chief Investigator, Secured Facilities (PS6080I), Department of Corrections.

ACTION: The Merit System Board directed that this appeal be denied.

B-45 CARMELO DEJESUS

Carmelo DeJesus appeals the determination of the Division of Selection Services which found that his application for the promotional examination for Fire Captain (PM3512F), Hoboken was late.

ACTION: The Merit System Board directed that this appeal be granted.

B-46 MARY MURRIN

The Manger, Shared Services Office 1, on behalf of the Department of State, requests that Mary Murrin's out-of-title work experience be accepted to qualify her for a lateral title change to Contract Administrator 1, Department of State.

ACTION: The Merit System Board granted the request.

B-47 DAVID PETERSON

David Peterson requests that his out-of-title work experience be accepted to qualify him for a lateral title change to Building Services Coordinator 2.

ACTION: The Merit System Board granted the request.

B-48 CARLTON FERNANDERS

Carlton Fernanders appeals the administration of the promotional examination for Sergeant Campus Police (PS5212J), Stockton State College.

ACTION: The Merit System Board directed that this appeal be granted.

B-49 JEROME JAMES

Jerome James appeals the administration of the promotional examination for Engineering Technician 4 (PS1980T), Department of Transportation. It is noted that this matter was incorrectly listed on the agenda as James Jerome.

ACTION: The Merit System Board directed that this appeal be denied.

B-50 LYNN BRICE

Lynn Brice appeals the validity and the correct answers to the questions on the examination for Human Services Specialist 1 (C0490E), Union County.

ACTION: The Merit System Board directed that this appeal be denied.

B-51 DONNA FABRIZIO, ET AL.

Donna Fabrizio, Deborah Mangus and Charles Hendrix appeal the validity and administration of the promotional examination for Technical Assistant 2, Treasury (PS8979U), Department of the Treasury.

ACTION: The Merit System Board directed that these appeals be denied.

VOTE:	Rolando Torres, Jr.	(Abstained)
	Flavella Branhan	(Yes)
	John Currie	(Yes)
	Margaret E. L. Howard	(Yes)
	Robert J. Long	(Yes)

B-52 MARK EVANGELISTA

Mark Evangelista requests that the provisions of N.J.A.C. 4A:4-7.4(b) be relaxed in order to permit the transfer of his seniority from his prior positions as a Police Officer to his position as a Police Officer, City of Jersey City.

ACTION: The Merit System Board denied the request.

B-53 LAUREEN BAER

Laureen Baer requests a retroactive transfer through the Intergovernmental Transfer Program from her former position as a Practical Nurse, Cumberland County, to her current position as a Practical Nurse, New Jersey Veteran's Memorial Home, Vineland.

ACTION: The Merit System Board denied the request.

B-54 DAVID INCLE AND DANIEL PASSAFUME

The Township of North Brunswick requests relaxation of N.J.A.C. 4A:4-7.1A(c) so as to permit the intergovernmental transfer of David Incle from the title of Sheriff's Officer (Bilingual in Spanish and English), Monmouth County Sheriff's Office, and Daniel Passafume, Sheriff's Officer, Middlesex County Sheriff's Office to the title of Police Officer, Township of North Brunswick.

ACTION: The Merit System Board granted the requests.

B-55 MERIT SYSTEM BOARD MINUTES

The Merit System Board minutes of its meeting of December 1, 2004 are submitted for adoption.

ACTION: The Merit System Board adopted the minutes of its meeting of December 1, 2004.

VOTE:	Rolando Torres, Jr.	(Abstained)
	Flavella Branhan	(Yes)
	John Currie	(Yes)
	Margaret E. L. Howard	(Yes)
	Robert J. Long	(Yes)

B-56 ELVIS COLLADO

Elvis Collado petitions the Merit System Board for back pay, seniority, step placement and reimbursement for training costs based on the delay of his beginning employment as a Fire Fighter with the City of Newark.

ACTION: The Merit System Board denied the request.

B-57 EDITH JOHNSON

The appeal of Edith Johnson, a Family Service Worker with the County of Essex, Department of Citizen Services, of her 10-day suspension, on charges, was heard by Administrative Law Judge Ken R. Springer (ALJ), who rendered his initial decision on September 22, 2004. At its meeting on December 1, 2004, the Merit System Board (Board), accepted the ALJ's recommendation to reverse the 10-day suspension. The proposed decision is now submitted for the Board's review.

ACTION: The Merit System Board adopted the decision.

VOTE:	Rolando Torres, Jr.	(Abstained)
	Flavella Branhan	(Yes)
	John Currie	(Yes)
	Margaret E. L. Howard	(Yes)
	Robert J. Long	(Yes)

B-58 EARLY SETTLEMENTS

Vera Agarwal
 Department of Law and Public Safety
 Release at the end of working test period

Lisa A. Gourdine
 New Jersey City University
 15-day Suspension

Charles Hummel
 City of Newark
 Police Department
 Ten-day Suspension

Sarah Lesoine
 Division of Youth and Family Services
 Department of Human Services
 Release at the end of working test period

Brie Mingo
 Department of Health and Senior Services
 Return to formerly held permanent title

David R. Nerahoo
New Jersey City State University
Removal

Yajaria Rodriguez
N.J. Veteran Memorial Home Vineland
Release at the end of working test period

Audrey Slomowitz
Greystone Park Psychiatric Hospital
Department of Human Services
Return to formerly held permanent title

Eddie Utuk
Division of Youth and Family Services
Department of Human Services
Release at the end of working test period

ACTION: The Merit System Board acknowledged the settlements.

There being no further business before the Merit System Board, the meeting was adjourned to convene on January 12, 2005 at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

**ROLANDO TORRES, JR.
ACTING COMMISSIONER
MERIT SYSTEM BOARD**